

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SimpleAir, Inc.,

Plaintiff,

vs.

Microsoft Corporation, et al.,

Defendants.

CASE NO. 2:11-cv-416-JRG

JURY DEMANDED

**Joint Motion to Dismiss Without Prejudice Claims
Against Nokia Corp. and Nokia Inc.**

Plaintiff SimpleAir, Inc. ("SimpleAir") respectfully moves the Court to dismiss without prejudice SimpleAir's claims against Defendant Nokia Corp. Nokia Corp. was not served in this action and has not answered.

SimpleAir and Defendant Nokia Inc. respectfully move the Court to dismiss without prejudice SimpleAir's claims against Nokia Inc.

As neither Nokia Corp. nor Nokia Inc. asserted any counterclaims against SimpleAir, the requested dismissal will terminate this action as to Nokia Corp. and Nokia Inc. The parties further move that each party shall bear its own costs, expenses, and attorneys' fees.

Date: June 24, 2013

Respectfully submitted,

By: /s/ Jeff Eichmann
John Jeffrey Eichmann
CA State Bar No. 227472
(admitted to practice before the U.S. District
Court for the Eastern District of Texas)
DOVEL & LUNER, LLP
201 Santa Monica Blvd., Suite 600
Santa Monica, CA 90401
Telephone: 310-656-7066
Facsimile: 310-657-7069
Email: jeff@dovellaw.com

S. Calvin Capshaw
State Bar No. 03783900
Email: ccapshaw@mailbmc.com
Elizabeth L. DeRieux
State Bar No. 05770585
Email: ederieux@mailbmc.com
Capshaw DeRieux LLP
114 E. Commerce
Gladewater, Texas 75647
Telephone: (903) 236-9800
Facsimile: (903) 236-8787

ATTORNEYS FOR PLAINTIFF
SIMPLEAIR, INC.

/s/ Alexas D. Skucas

Alexas D. Skucas (pro hac vice)

askucas@kslaw.com

Mark H. Francis

mfrancis@kslaw.com

Steven Z. Luksenberg (pro hac vice)

sluksenberg@kslaw.com

KING & SPALDING LLP

1185 Avenue of the Americas

New York, NY 10036

Telephone: (212) 556-2100

Fascimile: (212) 556-2222

Michael C. Smith

State Bar No. 18650410

SIEBMAN, BURG, PHILLIPS, & SMITH,
LLP

113 East Austin Street

Marshall, Texas 75670

Telephone: (903) 938-8900

Facsimile: (972) 767-4620

Email: michaelsmith@siebman.com

ATTORNEYS FOR DEFENDANT NOKIA
INC.

CERTIFICATE OF SERVICE

I hereby certify that the all counsel of record who are deemed to have consented to electronic service are being served this 24th day of June 2013, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Jeff Eichmann

John Jeffrey Eichmann